

"Mr. Logan seconded the nomination of Mr. Chilton.

"Mr. McWilliams seconded the nomination of Mr. Nugent.

"Mr. Thomas seconded the nomination of Mr. Chilton.

Mr. Townsen of Lampasas seconded the nomination of Mr. Nugent.

"Mr. Love seconded the nomination of Mr. Chilton.

"Mr. Spivey seconded the nomination of Mr. Chilton.

"Mr. Simmons seconded the nomination of Mr. Chilton.

"There being no more nominations, the Speaker declared nominations closed, and directed the Clerk to call the roll.

"The following members voted for Hon. Horace Chilton:

"Hon. T. S. Smith, Speaker; Messrs. Allen of Colorado, Allen of Dallas, Andrews, Armistead, Avery, Bailey, Bass, Beall, Beard, Bertram, Blair, Bounds, Bramlette, Brigance, Brown, Bumpass, Burmeister, Burns, Cameron, Carpenter, Darroch, Dashiell, Davis, Drew, Duff, Evans of Hunt, Evans of Grayson, Falke, Feagin, Fletcher, Freeman, Giddings, Gilliland, Good, Gough, Graham, Greer, Harrison, Henderson, Jackson, Jennings, Joseph, Kennedy, King, Langhammer, Lillard, Lindsey, Logan, Long, Love, Moroney, Martin of Kinney, Martin of Coryell, Martindale, McBride, McKinney, McLemore, Mills, Mitchell, Monroe, Moody, Moore of Morris, Moore of Lamar, Morris, Morrison, Murchison, O'Neal, Orr, Owsley, Peck, Peyton, Plemmons, Ragsdale, Reiger, Rhodes of Wood, Robbins, Rogers, Roy, Rudd, Seabury, Sebastian, Simmons, Smith of Milam, Smith of Runnels, Smith of Brazos, Sowell, Spillane, Spivey, Strange, Stubbs, Tarver, Thomas, Townsend of Angelina, Turner, Turney, Ward, Wayland, Wester, Williams, Wurzbach. Total 101.

"The following members voted for Hon. Thomas L. Nugent:

"Messrs. Barron, Burney, Carson, Cocke, Cureton, Drinkard, Edwards, Floyd, Foster, McNeill, McWilliams, Nix, O'Connor, Radford, Rhodes, Ritter, Seago, Stokes, Townsen of Lampasas, Watkins, Whitacre. Total, 21.

"The following voted for Hon. T. S. Smith:

"Mr. Smith of Colorado. Total, 1."

The Clerk and Secretary were directed to announce the result, which was as follows:

Hon. Horace Chilton received 128 votes.

Hon. T. L. Nugent received 23 votes.

Hon. T. S. Smith received 1 vote.

The Speaker then said:

"The Hon. Horace Chilton having received a majority of all the votes cast in each House, I now declare him duly and constitutionally elected United States Senator for the ensuing term of six years, beginning March 4, 1895."

Mr. Morrison, on part of the House, moved that the President of the Senate and the Speaker of the House be authorized to appoint a joint committee of four

from the Senate and six from the House to, wait on the Hon. Horace Chilton, inform him of his election and escort him to the Speaker's stand.

The Speaker put the motion on part of the House and it prevailed.

The President put the motion on part of the Senate and it prevailed.

The President announced the following members of the joint committee: Senators Atlee, Colquitt, Presler and Gage.

The Speaker announced the following members on the joint committee: Messrs. Peck, Bailey, Logan, Thomas, Love and Simmons.

The joint committee at once attended to their duty and escorted Hon. Horace Chilton to the Speaker's stand.

The Speaker then introduced him to the joint assembly and to the audience as United States Senator-elect from the State of Texas to succeed Hon. Richard Coke.

Mr. Chilton then, in compliance with a concurrent resolution of the House, adopted today, addressed the joint assembly, after which the Speaker announced that the purpose for which the joint session was convened was accomplished.

On motion of Senator Lewis, the Senate retired to its chamber.

#### IN SENATE.

On motion of Senator Steele, Senate adjourned to 10 a. m. tomorrow.

#### FIFTEENTH DAY.

Senate Chamber.

Austin, Tex., Thursday, Jan. 24, 1895.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the Chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew.	Greer.
Atlee.	Harrison.
Bailey.	Lawhon.
Beall.	Lewis.
Boren.	McComb.
Bowser.	McKinney.
Colquitt.	Presler.
Crowley.	Shelburne.
Darwin.	Simpson.
Dean.	Smith.
Dibrell.	Stafford.
Dickson.	Steele.
Gage.	Tips.
Goss.	Woods.
	Absent, excused.

Sherrill,

Absent, not excused.

Rogers.

Whitaker.

Prayer by the Chaplain, Dr. Smoot.

Pending the reading of the Journal of yesterday,

On motion of Senator Boren, the same was suspended.

On motion of Senator Shelburne, Senator McComb was excused from attendance on yesterday.

On motion of Senator Boren, Senator Rogers was excused from attendance up

to and including Thursday of next week on account of important business.

On motion of Senator McComb, Senator Whitaker was excused from attendance today on account of sickness.

The Chair gave notice of referring House bill No. 11 to Judiciary Committee No. 1.

#### PETITIONS AND MEMORIALS.

By Senator Atlee:

Memorial from citizens of Starr county, asking relief in behalf of teachers in public schools.

Read and referred to Committee on Education.

By Senator Beall:

A petition from the ladies of Hill county, asking that the age of consent be raised, and that sale of cigarettes to minors be prohibited.

Read and referred to Judiciary Committee No. 2.

By Senator Greer:

Petition from the citizens of Jefferson county, asking the enactment of a law increasing the age of consent to 18 years, or 16 years at least.

Read and referred to Judiciary Committee No. 2.

By Senator Gage:

Petition from citizens of Scurry county, asking that provision be made for the payment of teachers' salaries, etc.

Read first time and referred to Committee on Education.

#### COMMITTEE REPORTS.

Committee Room,  
Austin, Tex., Jan. 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Internal Improvements, to whom was referred

Senate bill No. 41, being a bill to be entitled "An act to repeal article No. 4249, of the Revised Statutes of Texas, requiring railroads to make an annual report to the Comptroller of Public Accounts,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

McKINNEY, Chairman.

Committee Room,  
Austin, Texas, Jan. 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Stock and Stock Raising, to whom was referred

Senate bill No. 60, being a bill to be entitled "An act to make the possession of cattle, horses or mules having thereon burnt brands unlawful, and to empower the sheriff and inspector of hides and animals to sequester the same, and to provide for the foreclosure in case of seizure,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LAWHON, Chairman.

Committee Room,  
Austin, Texas, Jan. 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee of Stock and Stock Raising, to whom was referred

Senate bill No. 58, being a bill to be entitled "An act regulating the mode for preventing certain animals from running at large in counties and subdivisions, passed August 15, 1876, by adding thereto article 4592½, providing for an election after two years to determine whether hogs, sheep or goats shall be permitted to run at large,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LAWHON, Chairman.

Committee Room,  
Austin, Texas, Jan. 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Labor, to whom was referred

Senate bill No. 83, being "A bill to regulate the operating of locomotive engines without being qualified to do so,"

Have had the same under consideration, and instruct me to report the same back to the Senate with the recommendation that it do pass.

DICKSON, Chairman.

Committee Room,  
Austin, Tex., Jan. 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed bills have carefully examined and compared

Senate bill No. 35, being "An act to authorize the La Porte, Houston and Northern Railroad Company to purchase and acquire and consolidate with it all the property, rights and franchises of the North Galveston, Houston and Kansas City Railroad Company, and the Houston Belt and Magnolia Park Railway Company, and to change its corporate name,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,  
Austin, Texas, Jan. 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 27, being an "Act to transfer to the general revenue account parts of certain funds now in the State treasury to the credit of other accounts,"

And find the same correctly engrossed.

BAILEY, Chairman.

#### BILLS AND RESOLUTIONS.

By Senator Boren:

A bill to be entitled "An act to amend an act to provide a more efficient system of public free schools for the State of Texas, passed by the Twenty-third Legislature and approved May 20, 1893."

Read first time and referred to the Committee on Education.

By Senator Boren:

A bill to be entitled "An act prohibiting one landlord from hiring the laborer, or tenant of another during the term of contract, and prescribing the punishment therefor."

Read first time and referred to Committee on Labor.

By Senator Tips:

A bill to amend article 1829 of chapter 4, title 37, Revised Statutes of Texas, with reference to the time of closing administration on estates of deceased persons, by adding thereto that no suit against the sureties on the bond of such administrator or executor shall be maintained unless proceeding to compel settlement was begun by the parties interested within four years after the estate was in a condition to be closed, and providing that persons who were under legal disability when the right to compel settlement accrued shall have four years within which to institute such a proceeding after their disabilities have been removed."

Read first time and referred to Judiciary Committee No. 1.

By Senator Woods:

A bill to be entitled "An act to amend article 357, title 7, chapter 1 of the Code of Criminal Procedure."

Read first time and referred to Judiciary Committee No. 2.

By Senator Atlee:

Concurrent resolution:

Be it resolved by the Senate, the House of Representatives concurring, That a joint committee of the two houses be appointed, consisting of five Senators and ten Representatives, to consider the advisability of redistricting the State into judicial districts, and to make report thereon at the earliest day practicable.

Adopted.

Call concluded.

Senator Darwin arose to a question of personal privilege and stated that a daily paper contained the statement that an attorney had remarked he (the attorney) could control 22 votes in the House and 2 in the Senate on a certain measure now pending, which he considered was a reflection on himself; and stated that he wished it distinctly understood that he would consider and vote upon measures strictly on their merit.

#### BILLS ON THIRD READING.

The Chair laid before the Senate, Senate bill No. 27, a bill to be entitled "An act to transfer to the general revenue account parts of certain funds now in the State treasury to the credit of other accounts."

Bill read third time and passed by the following vote:

Yeas—19.

Agnew.	Dean.
Bailey.	Dibrell.
Boren.	Dickson.
Bowser.	Goss.
Colquitt.	Harrison.
Crowley.	McComb.
Darwin.	McKinney.

Presler.  
Stafford.  
Steele.

Tips.  
Woods.

Nays—9.

Atlee.  
Beall.  
Gage.  
Greer.  
Lawhon.

Lewis.  
Shelburne.  
Simpson.  
Smith.

Absent—excused.

Rogers.  
Sherrill.

Whitaker.

#### BILLS ON SECOND READING.

The Chair laid before the Senate, as special order,

Senate bill No. 82, a bill to be entitled "An act to amend section 7, chapter 100, of the acts of the Twenty-first Legislature, approved March 29, 1889."

Pending the reading of the bill,

Senator Dean moved to postpone consideration until next Saturday at 10:30 a. m., and that the bill be printed.

Carried.

#### HOUSE MESSAGE.

House of Representatives,  
Austin, Texas, Jan. 24, 1895.

Hon. George T. Jester, President of Senate:

I am directed by the House to inform the Senate that the House has reconsidered the vote by which House bill No. 11 was passed, and ordered the motion spread upon the Journal. I am therefore directed to ask the return to the House of said bill.

Respectfully,

CHESTER HAILE,

Chief Clerk House of Representatives.

On motion of Senator Steele, the request of the House was granted and the bill returned.

The Chair laid before the Senate,

Senate bill No. 8, being a bill to be entitled "An act to amend section 58, chapter 122, of an act entitled 'An act to provide for a more efficient system of public free schools for the State of Texas,' etc., approved May 20, 1893."

On motion of Senator Steele the bill was laid on the table subject to call.

The Chair laid before the Senate,

Senate bill No. 51, being a bill to be entitled "An act to amend articles 798 and 799, of chapter 18, title 17, of the Penal Code of the State of Texas,"

Action being on engrossment.

Senator Dean moved to postpone consideration until tomorrow.

Postponed.

The Chair laid before the Senate,

Senate bill No. 71, being a bill to be entitled "An act to repeal article 276, title 12, of Revised Civil Statutes of the State of Texas, relating to days of grace on bills of exchange and promissory notes."

Bill read second time and lost by the following vote:

Yeas—13.

Atlee.  
Bailey.  
Bowser.

Crowley.  
Dean.  
Gage.

Greer.  
Lawhon.  
Lewis.  
McComb.

Shelburne.  
Simpson.  
Tips.

Nays—15.

Agnew.  
Beall.  
Boren.  
Colquitt.  
Darwin.  
Dibrell.  
Dickson.  
Goss.

Harrison.  
McKinney.  
Presler.  
Smith.  
Stafford.  
Steele.  
Woods.

Absent—excused.

Rogers.  
Sherrill.

Whitaker.

The Chair laid before the Senate, Senate bill No. 14, being a bill to be entitled "An act to amend article 722, chapter 8, title 17, of the Penal Code of the State of Texas, as amended by the Eighteenth Legislature, by an act entitled 'An act to amend article 722, chapter 8, title 17, of the Penal Code of the State of Texas,' approved April 12, 1883."

Bill read second time.

By Senator Darwin:

Amend by striking out from line 15, after the word "used," the words "or exhibited."

Lost.

The bill was then ordered engrossed.

The Chair laid before the Senate,

Senate bill No. 21, being a bill to be entitled "An act to define the territory and to provide for establishing the boundaries of cities and towns in this State, and to validate the incorporation of any city or town heretofore incorporated in this State in certain cases."

Bill read second time and ordered engrossed.

Senator Goss moved that the constitutional rule requiring bills to be read on three several days be suspended and the bill put on its third reading and final passage.

Lost by the following vote (requiring four-fifths):

Yeas—19.

Agnew.  
Beall.  
Boren.  
Colquitt.  
Dean.  
Dibrell.  
Dickson.  
Gage.  
Goss.  
Greer.

Harrison.  
Lawhon.  
McKinney.  
Presler.  
Shelburne.  
Simpson.  
Stafford.  
Steele.  
Woods.

Nays—5.

Darwin.  
Lewis.  
McComb.

Smith.  
Tips.

Absent—excused.

Rogers.  
Sherrill.

Whitaker.

Absent—not excused.

Atlee.  
Bailey.

Bowser.  
Crowley.

## HOUSE MESSAGE.

House of Representatives,  
Austin, Texas, January 24, 1895.  
Hon. Geo. T. Jester, President of Senate:  
I am directed by the House to inform the Senate that the House has passed the following Senate bill, to-wit:  
Senate bill No. 26, "An act to regulate the issuance of executions upon judgments of courts of record, and to prevent such judgments from becoming dormant."—Passed by a two-thirds vote—ayes 119, noes 3.

Respectfully,

CHESTER HAILE,

Chief Clerk House of Representatives.

The Chair laid before the Senate, Senate bill No. 22, entitled "An act to amend article 3222, title 62, chapter 3, of the Revised Civil Statutes of the State of Texas,"

Action being on engrossment.

By Senator Lewis:

Amend the caption by adding thereto, "relating to limitation against married women."

Adopted.

By Senator Atlee:

Amend by adding, "Provided, limitations under this article shall in no case run against a married woman until she shall have arrived at twenty-one years of age."

Adopted.

The bill was then ordered engrossed.

The Chair laid before the Senate,

Senate bill No. 30, being a bill to be entitled "An act to establish a court at Texarkana, in Bowie county, to be styled Texarkana Civil and Criminal Court, and to prescribe the jurisdiction and organization thereof, and to conform the jurisdiction of other courts thereto."

Bill read second time.

And on motion of Senator Smith laid on the table, subject to call.

The Chair laid before the Senate,

Senate bill No. 32, being a bill to be entitled "An act to amend articles 4592, 4603, 4604, 4605 and 4606 of the Revised Civil Statutes of the State of Texas."

Bill read second time.

Senator Tips moved to make it special order for Tuesday next, after call.

Carried.

The Chair laid before the Senate,

Senate bill No. 33, being a bill to be entitled "An act to amend article 318, chapter 4, title 4, of the Penal Code of the State of Texas, as amended by the Twenty-first Legislature by an act entitled 'An act to amend article 318, chapter 4, title 9, of the Penal Code of the State of Texas, passed by the Twentieth Legislature, and approve February 24, 1887,' approved January 30, 1889."

Bill read second time.

By Senator Smith:

Amend by striking out in line 11 the word "razor," and insert in lieu thereof "negro shooter."

Lost.

By Senator Simpson:

Amend by striking out the word "pistol" in line 9.

Senator Atlee moved to postpone consideration of this bill indefinitely.

Carried.

Senator Dickson entered a motion to reconsider the vote by which Senate bill No. 17 was lost, and had same spread on the Journal.

The Chair laid before the Senate,

Senate bill No. 38, being a bill to be entitled "An act to repeal chapter 100 of the acts of the Twenty-second Legislature."

Bill read second time and ordered engrossed.

The Chair laid before the Senate,

Senate bill No. 40, being a bill to be entitled "An act to amend article 2558, chapter 9, title 51, of the Revised Statutes of Texas, relating to renting and leasing property and investing and loaning money of wards."

Bill read second time.

By Senator Colquitt:

Amend by striking out all after the word "Texas," in line 10.

Lost.

By Senator Atlee:

Amend by inserting in line 10, after the word Texas, "or of any county or city in the State."

By Senator Colquitt:

Amend the amendment by striking out "city bonds."

Lost.

The amendment (Atlee's) was then adopted.

By Senator Agnew:

Amend by adding "Provided no purchase of a vendor's lien note shall be made unless as much as one-third shall have been paid on the land for which the note or notes were given."

Adopted.

By Senator Agnew:

Amend by adding, "Provided further, that the county judge shall have an abstract of title made to the land, and see that the title to same is good, and the guardian shall endorse said note in his individual capacity."

By Senator Atlee:

Amend the amendment by adding, "Said abstract to be made at the cost of the vendor of such security."

Senator Agnew accepted the amendment.

The amendment as amended was then lost.

By Senator Lewis:

Amend by striking out one-third (1-3) where it appears in the amendment offered by the Senator from Fannin, and insert one-half (1-2.)

Lost.

The bill was then ordered engrossed.

The Chair laid before the Senate,

Senate bill No. 44, being a bill to be entitled "An act to amend article 1211 of title 29, chapter 5, of the Revised Civil Statutes."

Bill read second time and ordered engrossed.

(Senator Presler in the chair.)

By unanimous consent the following bills were introduced:

By Senator Greer:

A bill to be entitled "An act to provide for the removal and distribution among the Civil Courts of Appeals for the First, Second, Fourth and Fifth Judicial Districts of Texas, of the law library belonging to the State, now situated at Tyler, Texas, and for such part of the law library situated at Austin, Texas, as may be removed and distributed under the provisions hereof."

Read first time and referred to Judiciary Committee No. 1.

By Senator Beall:

A bill to be entitled "An act to amend articles 483, 484 and 485 of the Code of Criminal Procedure of the State of Texas, prescribing the manner in which citations shall be served upon witnesses disobeying subpoenas in criminal cases, the character of judgment that may be rendered in such cases; and providing for the collection of same."

Read first time and referred to Judiciary Committee No. 2.

On motion of Senator Shelburne the Senate adjourned to 10 a. m. tomorrow.

## SIXTEENTH DAY.

Senate Chamber,

Austin, Texas, Friday, Jan. 25, 1895.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew.	Greer.
Atlee.	Harrison.
Bailey.	Lawhon.
Beall.	Lewis.
Boren.	McComb.
Bowser.	Presler.
Colquitt.	Shelburne.
Crowley.	Simpson.
Dean.	Smith.
Dibrell.	Steele.
Dickson.	Tips.
Gage.	Whitaker.
Goss.	Woods.

Absent, excused.

Rogers. Sherrill.

Absent, not excused.

Darwin. Stafford.

McKinney.

Prayer by the Chaplain, Dr. Smoot.

Pending the reading of the Journal of yesterday,

On motion of Senator Woods, the same was suspended.

On motion of Senator Woods, Senator McKinney was excused until next Monday on account of important business.

On motion of Senator Colquitt, Senator